



Chesterfield County, Virginia

Memorandum

DATE: SEPTEMBER 19, 2006

TO: CHESTERFIELD COUNTY PLANNING COMMISSION

FROM: KIRKLAND A. TURNER, DIRECTOR OF PLANNING *KAT*

SUBJECT: ORDINANCE AMENDMENT RELATIVE TO MEASUREMENT OF YARDS IN THE ROUTE 10 CORRIDOR EAST, AND VARIOUS DEVELOPMENT STANDARDS IN THE ROUTE 10 CORRIDOR EAST AND ENON CORE DISTRICTS

PROPOSED AMENDMENT:

Staff is presenting a proposed Zoning Ordinance amendment pertaining to how yards are measured along the Route 10 corridor between I-95 and the City of Hopewell. The proposed ordinance amendment would also change certain development standards in the eastern Route 10 corridor and in the Enon Core district. The proposed amendment would only affect property located in the Bermuda Magisterial District.

RECOMMENDATION:

Staff recommends that the Planning Commission hold a public hearing on this request and forward a recommendation for approval to the Board of Supervisors.

BACKGROUND:

The 1997 Zoning Ordinance revised how front yard setbacks are measured along certain commercial corridors. In sum, the current ordinance allows front yard setbacks to be measured from a 160-foot wide right-of-way instead of the required 200-foot wide right-of-way in certain circumstances. As a result, this "reduction" allows a 30-foot front yard setback instead of the normally required 50-foot setback. However, this reduced setback requires an "additional" front yard setback of 20 feet (for a total of 50 feet) in exchange for reduced side and rear yard setbacks based on certain criteria and a complicated formula. The intent of the existing ordinance is to recognize development constraints for smaller commercial properties and to provide an incentive to obtain full building setbacks in this corridor.

In 2002, in conjunction with the Eastern Area Plan update, several ordinance amendments were made that repeated and applied the 1997 ordinance standards for the Route 10 Corridor East area. The 2002 ordinance also sought to require 50-foot front yard setbacks where possible along Route 10 in order to preserve existing tree stands along the road. Implementation of this ordinance has been difficult due to complexity and inconsistencies in the existing ordinance.

The proposed amendment would simplify and consolidate various ordinance sections related to the above issues, and change development standards along the east Route 10 corridor:

- Reduce front yard building setbacks along Route 10 to 30 feet, measured from a 200-foot ultimate right-of-way
- Emphasize buildings along the street frontage instead of parking areas
- Promote consistent landscaping design
- Require reciprocal access between the rear parking areas of sites
- Provide greater architectural design flexibility

Proposed Ordinance: In summary, the following amendments are proposed:

1. *Delete Section 19-505.2(e) (Measurement of yards).* This section generally applies to Emerging Growth areas. The section would be deleted here and within the Route 10 corridor. This would remove the whole concept of measuring front yard setbacks along the east Route 10 corridor, from a 160-foot right-of-way by adjusting side/rear yard setbacks. The amendment would simplify how front yard setbacks are measured.
2. *Amend Section 19-587 (Route 10 Corridor East – purpose and intent).* The proposed amendment would emphasize architecture based on area (not residential) development, and remove language pertaining to preserving tree canopy areas.
3. *Amend Section 19-587.1 (Route 10 Corridor East – yard requirements for office, business, and industrial districts).* The amendment would simplify and make consistent how front yard setbacks are measured. The proposed amendment would also change the front yard setback to 30 feet for buildings and 40 feet for parking and most drives. These changes would result in design that emphasizes buildings, not parking and drive areas. Finally, the amendment would specify a consistent landscaping theme (landscaping package “J”) to promote a more urban landscape.
4. *Delete Section 19-587.2 (Route 10 Corridor East – plant material specifications).* The proposed amendment would remove tree preservation language that is essentially duplicated from existing Section 19-518(d) (Countywide Standards).
5. *Amend Section 19-587.3 (Route 10 Corridor East – Neighborhood Mixed Use areas – architecture) – section renumbered to 19-587.2.* The proposed amendment would remove the requirement that architecture be compatible with residential architecture, and instead promote architecture consistent with area development. Additionally, the amendment would provide greater flexibility for use of concrete block and finished corrugated metal as architectural accents.

6. *Delete Section 19-587.4 (Route 10 Corridor East – Neighborhood Mixed Use areas – architectural compatibility).* The proposed amendment would consolidate all architectural requirements into a single section.
7. *Add new Section 19-587.3 (Route 10 Corridor East – internal circulation).* The proposed amendment would require reciprocal access, to promote interconnectivity and master planning of commercial properties along this corridor. This change would promote site design that allows through traffic between sites, to minimize unnecessary vehicle movements onto Route 10.
8. *Amend Section 19-589.1 (Enon Core District – exceptional development standards).* The proposed amendment would reflect the proposed change from landscaping “G” to “J” along other parts of the east Route 10 corridor. Existing Section 19-589.1(a)(1) would be removed since under the proposed ordinance, parking would not be permitted in front of buildings.
9. *Amend Section 19-589.2 (Enon Core District – Setback requirements for O and C Districts).* The proposed amendment would provide a consistent design concept for buildings, parking areas, drives and landscaping for new development along Route 10, including the Route 10 frontage in Enon. In the Enon Core District, the front yard setback would be reduced and standardized to 15 feet, which would be consistent with setbacks in village districts.
10. *Add new Section 19-589.5 (Enon Core District – internal circulation).* The proposed amendment would require reciprocal access, to promote interconnectivity and master planning of commercial properties along this corridor. This change would promote site design that allows through traffic between sites, to minimize unnecessary vehicle movements onto Route 10.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTIONS 19-505, 19-587, 19-587.1, 19-587.2, 19-587.3, 19-589.1,
AND 19-589.2; REPEALING SECTION 19-587.4, AND ADDING SECTION 19-589.5
RELATING TO ROUTE 10 CORRIDOR EAST SETBACKS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 19-505, 19-587, 19-587.1, 19-587.2, 19-587.3, 19-589.1 and 19-589.2 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted, Section 19-587.4 is repealed, and Section 19-589.5 is added all to read as follows:

Sec. 19-505. Measurement of yards.

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(e) For purposes of determining yard setbacks, the setback shall be measured from a 160-foot right-of-way in those instances where 200-foot right-of-way has been dedicated to the county in the following locations:

- (1) Route 360, from Route 288 to the Amelia County Line;
- (2) Route 10:
 - a. From Irongate Drive to Courthouse Road;
 - b. From Krause Road to Buckingham Street;
 - e. ~~From I-95 to Hopewell corporate limits.~~

Buildings, drives and parking within office, commercial and industrial districts:

The minimum setback area for buildings, drives and parking areas along Route 360 and Route 10 as listed in this Section, located outside of buffers, floodplains, wetlands and RPAs shall be increased 1 square foot for each 1.1 square feet of minimum required side and rear yard area located outside of buffers, floodplains, wetlands and RPAs, so as to increase the minimum setback along these roads an additional 20 feet. Provided, however, the setback along these roads need not be increased by more than 90 percent of the amount of reducible side and rear yard area outside of buffers, floodplains, wetlands and RPAs. Side and rear yard setback area outside of buffers, floodplains, wetlands and RPAs may be reduced at a ratio of 1.1 square feet for each.

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Sec. 19-587. Route 10 Corridor East - purpose and intent.

The purpose of sections 19-587 through 19-587.42 is to provide standards that will encourage and enhance the preservation of tree canopy along Route 10, between I-95 and Hopewell, and to further encourage architectural standards that reinforce and compliment area residential development, within those areas along the Route 10 eCorridor East, located along Route 10, between I-95 and Hopewell suggested for Neighborhood Mixed Use on the Consolidated Eastern Area Plan.

Sec. 19-587.1. Route 10 Corridor East: Yard requirements for office, business and industrial districts.

~~Setbacks along Route 10: The minimum setback area for buildings, drives and parking areas along Route 10 located outside of buffers, floodplains, wetlands and RPAs shall be increased 1 square foot for each 1.1 square feet of minimum required side and rear yard area located outside of buffers, floodplains, wetlands and RPAs, so as to increase the minimum setback along Route 10 an additional 20 feet. Provided, however, the setback along Route 10 need not be increased by more than 90 percent of the amount of reducible side and rear yard area outside of buffers, floodplains, wetlands and RPAs. Side and rear yard setback area outside of buffers, floodplains, wetlands and RPAs may be reduced at a ratio of 1.1 square feet for each square foot of increased setback along Route 10, provided that the remaining side and rear yard setbacks shall be configured so that landscaping areas have a minimum dimension of 10 feet. Further, these remaining setback areas may be incorporated into other landscaped areas with the approval of the director of planning.~~

Setbacks along Route 10: The minimum setback area for buildings shall be 30 feet from the ultimate right-of-way with the installation of perimeter landscaping J. The minimum setback along Route 10 for drives and parking shall be 40 feet, provided, however, that parking or associated driveways (not including driveways necessary for drive-through facilities) shall not be located any closer to Route 10 than the face of any building along the road. The minimum setback along Route 10 for driveways necessary for drive-through facilities shall be 30 feet from the ultimate right-of-way.

~~Sec. 19-587.2. Route 10 Corridor East: Plant material specifications.~~

~~Tree preservation: Within setbacks along Route 10, preservation of existing trees and shrubs shall be maximized to provide continuity and improved buffering. Except when necessary to provide access, any trees of high canopy species that are four inches or greater in caliper, as well as any trees of under story species that are one inch or greater in caliper, located within the setback, shall be retained unless removal is approved through site, subdivision or schematic plan review. Removal of vegetation, to accommodate vehicular access and utilities which run generally perpendicular through the setback, shall be permitted through subdivision, site or schematic plan review, the exact locations to be determined by the Director of Planning. Any healthy existing tree or shrub may be included for credit towards this subdivision's~~

requirements. If any preserved tree or shrub that has been credited dies within three years of construction, one tree or shrub shall be planted for each tree or shrub lost. All existing vegetation, which is to be preserved on the site, shall be shown on the required landscaping plan, or when there are groups of trees or shrubs, such groups may be outlined. Any existing trees to be removed shall be clearly delineated on the landscaping plan

Sec. 19-587.32. Route 10 Corridor East: Neighborhood Mixed Use areas – architecture.

~~Within those areas along the Route 10 eCorridor East suggested for Neighborhood Mixed Use on the Consolidated Eastern Area Plan, all buildings shall be compatible with residential architecture. Residential design features shall include, but not be limited to, articulation of doors and windows, architectural ornamentation, and use of residential materials such as brick and/or siding for walls and asphalt shingle or simulated slate for roofs. There shall be no visible flat or shed roofs permitted. Wall offsets and varied rooflines shall be used on larger buildings to create the appearance of several small buildings clustered together. Within a project, compatibility shall be achieved through the consistent use of a residential architectural style, and using materials, fenestration, scale and other architectural features appropriate to that style.~~
all building exteriors visible to the public or adjacent properties shall be constructed of architectural materials consistent in quality, appearance and detail. When representative of good architectural design, different exterior materials may be used that vary in the amounts used on different exteriors. If concrete block is used, it shall have an adorned face except for smooth-faced block accents, all of which shall be integrally colored, painted or stained. If corrugated metal is used, it shall be pre-finished and used in context with a masonry wall extending a minimum height of four feet above the first floor elevation excluding windows. Buildings shall be designed to impart harmonious proportions and avoid monotonous facades or large bulky masses.

Architectural treatment of all buildings shall be compatible with best architectural examples of buildings located within the same project or within the same block or directly across any road, as determined by the Director of Planning. At locations where the existing buildings do not meet current Zoning Ordinance requirements for architectural treatment, the Director of Planning may approve a new architectural treatment or theme. Compatibility may be achieved through the use of similar building massing, materials, scale, colors or other architectural features.

~~Sec.19-587.4 Route 10 Corridor East: Neighborhood Mixed Use areas—architectural compatibility.~~

~~Within those areas along the Route 10 corridor suggested for Neighborhood Mixed Use on the Consolidated Eastern Area Plan, architectural treatment of all buildings shall be compatible with buildings located within the same project or within the same block or directly across any road, as determined by the Director of Planning. At locations where the existing buildings do not meet current Zoning Ordinance requirements for architectural treatment, the Director of Planning may approve a new architectural treatment or theme. Compatibility may be achieved through the use of similar building massing, materials, scale, colors or other architectural features.~~

Sec. 19-587.3. Route 10 Corridor East: internal circulation.

Within the Route 10 Corridor East, all development shall provide direct and convenient vehicular circulation onsite, and reciprocal access between properties. The intent of this subsection is to require shared access drives located to the rear of buildings that front Route 10, promoting interconnectivity of nonresidential development.

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Sec. 19-589.1. Enon Core District: Exceptional development standards.

(a) *Street tree planting:* Within the Enon Core District, it is the intent of perimeter landscaping ~~G~~ I, as detailed in section 19-518(g)(~~9~~12), to require the installation of street trees to increase the aesthetic appeal of Enon Core District, encourage high-quality development, provide shade for pedestrians and improve the quality of the environment. To this end, the following standards shall be met when utilizing perimeter landscaping ~~G~~ I:

- (1) ~~The requirements of section 19-518(g)(9)(a) and (c) shall be met. The requirements of section 19-518(g)(9)(b) shall be modified to require continuous three foot high hedge forms or a decorative wall for the entire width of a parking lot only if the parking lot is located in front of a building.~~
- (2) (1) Trees shall be installed behind any sidewalk installed along a street. If it is determined during the site plan process to be impractical to install trees behind the sidewalk, they may be installed between the street and the sidewalk. If it is determined during the site plan process to be impractical to locate large deciduous trees due to conflicts with utility lines the trees may be relocated or if that is impractical, small deciduous trees may be substituted.
- (3) (2) Trees installed shall be suitable for use as street trees and shall be selected for their ability to survive under adverse growing conditions as well as their aesthetic value.
- (4) (3) While the intent of this section is not to require a single species to be planted throughout the entire Enon Core District, the director of planning may require a particular species in a particular location based on existing area landscaping.

Sec. 19-589.2. Enon Core District: Setback requirements for O and C Districts.

The minimum setbacks for all buildings, drives, and ~~surface and deck~~ parking areas shall be as follows:

- (a) *Setbacks along Route 10.*
 - 1. The minimum setback ~~along Route 10~~ for buildings shall be ~~50~~ 15 feet from the ultimate right of way with the installation of perimeter landscaping ~~I~~ G ~~provided, however, buildings that are clustered around an~~

~~area devoted to public and semi-public use and positioned so as to define the public and semi-public space shall be permitted to reduce the setback from Route 10 to 15 feet. Any such area devoted to public and semi-public use shall be separated from Route 10 by a building or buildings, have a minimum of ½ acre with no dimension less than 100 feet, and shall be designated for such use by recordation of an open space easement for public and semi-public use, such as area civic association events, special commercial events or cultural activities. Buildings shall not be separated from the public and semi-public space by more than 2 rows of parking accessed by a driveway and a sidewalk. The area shall be designed to be used primarily for such activities and shall not be designed to be used primarily for stormwater management facilities. The area shall incorporate benches for public seating and at least one of the following: gazebo/bandstand; fountain; sculpture; statuary; or other similar feature.~~

2. ~~The minimum setback along Route 10 for drives and parking shall be 50~~
25 feet with the installation of perimeter landscaping & provided,
~~however, that no more than 1 row of parking with associated driveway~~
shall be permitted between any building and the Route 10 right-of-way
parking or associated driveways (not including driveways necessary for
drive-through facilities) shall not be located any closer to Route 10 than
the face of any building along the road. The minimum setback along
Route 10 for driveways necessary for drive-through facilities shall be 15
feet from the ultimate right-of-way.

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Sec. 19-589.5. Enon Core District: internal circulation.

Within the Enon Core District, all development shall provide direct and convenient vehicular circulation onsite, and reciprocal access between properties. The intent of this subsection is to require shared access drives located to the rear of buildings that front Route 10, promoting interconnectivity of nonresidential development.

- (2) *That this ordinance shall become effective immediately upon adoption.*